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Customer No.: 
07278
PATENT TRADEMARK OFFICE

Docket No.: 6565/1G622-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Neal BHAMRE; Juliana MAYER; Andres PINEDA; Colleen REILLY; Sparky Wilson ROSE; David SCHMIDT; David SOLOFF; Steven SPIECZNY

Serial No.: 09/839,502 Art Unit:

Confirmation No.: 2600

Filed: April 20, 2001 Examiner:

For: INTERACTIVE EMPLOYMENT SYSTEM AND METHOD

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MAR 20 2002

REQUEST FOR RECONSIDERATION OF
PETITION FOR FILING UNDER 37 C.F.R. §1.47(a)

OFFICE OF PETITIONS

Assistant Commissioner for Patents
BOX DAC
Washington, DC 20231

Sir:

This is a request for reconsideration of a petition under 37 C.F.R. §1.47(a) to file an application where one or more joint inventors refuses to sign or

cannot be reached and is in response to the Decision on the Petition dated January 15, 2002.

A petition under 37 C.F.R. §1.47(a) was submitted with the above-referenced patent application on April 20, 2001, the filing date. The Office of Petitions dismissed the petition in its decision dated January 15, 2002 refusing status under 37 C.F.R. §1.47(a). The Decision stated that Applicants are given two months to respond, correcting the deficiencies of the petition. Applicants herein submit a response addressing the deficiencies identified in the Decision. Reconsideration of the petition is respectfully requested.

There are eight named inventors in this application. On the filing date, four of the eight inventors had not signed the declaration: Neal Bhamre, Andres Pineda, Colleen Reilly, and David Soloff. The Decision stated that the original petition was deficient in proof that a copy of the application was sent to the non-signing inventors; the cover letters transmitting the application to the non-signing inventors did not accompany the original petition. Further, the original petition was said to be deficient because the residential address for Ms. Reilly was not provided, only a business address, and the efforts to obtain her address were not described. The Decision also stated that a new oath or declaration is required.

Letters to inventors Mr. Bhamre, Ms. Pineda, and Mr. Soloff were sent on March 29, 2001. See Decl. ¶5. Each letter included a copy of the patent

application, a declaration, and a request to execute the application. See Decl. ¶5. Copies of the transmittal letters are attached to enclosed Declaration of the undersigned. Despite a diligent effort, including checking the telephone directory and Internet and personal inquiry, it was not possible for the undersigned or the client (assignee of the application) to ascertain Ms. Reilly's mailing address. See Decl. ¶6-8.

Since then, however, the undersigned has managed to obtain Ms. Reilly's address. See Decl. ¶9. In February 2002, a revised Declaration including all the inventor's addresses along with the patent application were sent to each of the eight inventors. See Decl. ¶10. Five of the inventors returned the executed Declaration. See Decl. ¶11. However, one inventor stated that his address had changed. See Decl. ¶11. In March 2002, a second revised Declaration was sent to each of the eight inventors. See Decl. ¶12.

Six of the eight inventors signed and returned the second revised Declaration. The Declarations signed by Neal Bhamre, Juliana Mayer, Andres Pineda, Sparky Wilson Rose, David Schmidt, and Steven Spieczny are provided herewith.

Two inventors have yet to sign the application. The two non-signing inventors are Colleen Reilly and David Soloff. The last known residential addresses for each of these inventors are set forth on the attached Schedule A. Copies of the February and March 2002 cover letters sent to Ms. Reilly and Mr. Soloff are provided with the accompanying declaration of the undersigned. See Decl. ¶10 and 12.

Despite repeated communications in March 2001 and February and March 2002, the undersigned received no response from Ms. Reilly and Mr. Soloff. See Decl. ¶13. Thus Ms. Reilly and Mr. Soloff are effectively refusing to join and execute the application.

No fee is due with this communication as a check in the amount of \$130.00 was provided with the original petition. The Commissioner is authorized to charge any deficiency or credit any excess in this fee to Deposit Account No. 04-0100.

Since there is presently no reasonable expectation that the non-signing inventors will execute the Declaration, on behalf of the inventors who have executed the application, it is respectfully requested that the non-provisional application filed on April 20, 2001 be accepted for filing by the U.S. Patent & Trademark Office and granted a filing date.

Respectfully submitted,

Dated: March 15, 2002

Chanah Brenenson

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Schedule A

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Colleen REILLY
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